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-and-

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Attorneys for Protective Insurance Company

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

NEW ENGLAND MOTOR FREIGHT, INC.)

et al.,

Debtors.

Chapter 11

Case No. 19-12809 (JKS)

(Jointly Administered)

JOINT STATEMENT OF UNSUCCESSFUL MEDIATION

NOW COME Jamie Magarian and Regina Magarian (together, the “Claimants”) and Protective Insurance Company (“Protective”; collectively with the Claimants, the “Parties”) and hereby file this Joint Statement of Unsuccessful Mediation pursuant to the Auto Liability Claims Protocol (the “Protocol”) approved in connection with the Confirmed Plan of Reorganization. The Parties hereby state that their respective counsel engaged in mediation on September 30,

2020 and December 3, 2020 with agreed upon mediator David Burbank of Burbank Mediation regarding the Claimants' Auto Liability Claims (collectively, the "Claims"). The mediation failed to resolve the Claims and no settlement was reached.

Therefore, in accordance with the Protocol, within two (2) business days of this filing the Claimants may proceed to pursue all legally available remedies with respect to the Claims, including but not limited to commencing litigation to liquidate such Claims. Notwithstanding the foregoing, the Parties reserve their respective rights to agree to such additional mediation, arbitration or other alternative dispute resolution procedures as may be mutually acceptable to them.

Respectfully submitted,

/s/Andrew R. Turner
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Dated: December 14, 2020
South Orange, New Jersey

Respectfully submitted,

/s/ Edward C. Bassett, Jr., Esq. (with permission)
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Dated: December 3, 2020
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